

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-30208-MAP

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|-------------------------|---|
| BRADFORD C. COUNCILMAN, |) |
| Plaintiff |) |
| v. |) |
| |) |
| ALIBRIS, INC., |) |
| MICHAEL WARCHUT, |) |
| PETER KROTKOV, |) |
| Defendants |) |

ASSENTED-TO MOTION TO EXTEND
TIME TO OPPOSE PLAINTIFF'S MOTION FOR STAY OR
EXTENSION OF TIME TO RESPOND TO MOTIONS TO DISMISS

With the assent of plaintiff, defendant Alibris, Inc. ("Alibris") hereby respectfully moves to extend the time for it to oppose plaintiff's Motion for a Stay or, in the Alternative, an Extension of Time to Respond to Motions to Dismiss until March 1, 2005. As grounds for this motion, Alibris states as follows:

1. Defendant Alibris filed a Motion to Dismiss Plaintiff's Complaint on January 31, 2005.
2. Defendant Krotkov filed a Motion to Dismiss Complaint on February 4, 2005.
3. Plaintiff filed a Motion for a Stay, or in the Alternative, for an Extension of Time to Respond to Motions to Dismiss on February 4, 2005.
4. Counsel for defendant Alibris was called for trial in Hampden County Superior Court in the case of *Kenneth E. Parsons, Jr. v. Massachusetts Mutual Life Insurance Company*, Civil Action No. 02-1097 beginning on February 12, 2005. Counsel anticipates the trial may last through February 22 or 23, 2005. For this reason, Alibris needs additional time to file its opposition, if any, to plaintiff's motion for a stay.

WHEREFORE, with the assent of plaintiff, defendant Alibris respectfully requests that this Court allow the agreed upon extension of the time within which defendant Alibris may file its opposition to plaintiff's Motion for a Stay, or in the Alternative, for an Extension of Time to Respond to Motions to Dismiss until March 1, 2005.

Assented to:
The Plaintiff,
BRADFORD C. COUNCILMAN
By Its Attorneys:

Respectfully submitted,
The Defendant,
ALIBRIS, INC.
By Its Attorneys:

/s/ Andrew Good
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Dated: February 16, 2005

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